

## REMARKS

The Office Action dated January 25, 2005 has been fully considered by the Applicant.

Claims 1, 4, 6, and 7 have been currently amended. Claims 2, 3 and 5 have been previously presented. Reconsideration of the rejections is respectfully requested.

Claims 1-7 have been rejected under 35 USC 102(e) as being anticipated by United States Patent Publication No. 2003/0154477A1 to Hassell et al. Applicant's claims 1, 4, 6 and 7 have been currently amended and, therefore, Applicant respectfully requests reconsideration of the rejection.

Applicant's independent claims 1 and 7 have been amended to further define a television data receiving apparatus which allows the display of a series of programs at at least one location from data received, the apparatus comprises means for receiving data relating to and for generating an electronic program guide at at least one location, which guide indicates a schedule of programs including broadcast programs and other information which can be displayed via the apparatus and means whereby the display of a broadcast program(s) can be delayed and or interrupted and data received for a remaining broadcast program and/or subsequent broadcast programs stored as a stored program(s) in a memory means for selective display at a later time and wherein when a plurality of stored and/or broadcast programs including at least one location representing a broadcast program and/or stored programs are selected for display and display of the same would overlap in time, the electronic program guide at the locations selected is time shifted where the locations overlap in time in response to the delay in display of the remainder of the broadcast program or subsequent broadcast programs so as to provide synchronization of the time shifted electronic program guide details with display of the stored program(s) and/or said display of the remainder of broadcast program and/or subsequent broadcast programs and thereby prevent overlap.

The ‘477 publication to Hassell et al does not include the time shifting of other locations selected, including those relating to broadcasts, in response to selecting a location of an electronic program guide representing a broadcast or a stored program for display, as in Applicant’s invention. In Applicant’s invention, the broadcast program appears to be broadcast at a time such that they do not overlap with other selected programs. In contrast, the prior art only discloses that stored programs are time-shifted. In addition, the prior art does not adjust the start and end times of electronic program guide locations relating to future broadcast programs to avoid display selection overlaps.

The Hassell et al ‘477 publication is directed toward a system which can record programs and information transmitted with the programs and includes an electronic program guide for displaying recorded programs and current listing. However, the ‘477 Hassell et al publication does not include the time-shifting of the electronic program guide at the selected locations in response to the delay in display of the remainder of the broadcast program and/or subsequent broadcast programs so as to provide synchronization of the time shifted electronic program guide with the display of the stored program(s) and/or the display of the remainder of the broadcast program and/or subsequent broadcast programs and thereby prevent overlap, as does Applicant’s invention. The electronic program guide of the ‘477 Hassell et al publication is not synchronized with the display of the remainder of the stored program(s) and/or subsequent broadcast programs, as does Applicant’s invention. Therefore, reconsideration of the rejection is respectfully requested.

In Applicant’s invention, a user may choose to watch channel 1 until 7:30, a film on channel 2 which runs from 7:30 to 8:30, and news on channel 3 which starts at 8:00, as seen in Figure 5. Clearly, the selections overlap each other, but by using the apparatus of Applicant’s invention the

film on channel 2 may be interrupted and delayed by the user so that the news on channel 3 can be watched at the appropriate time. The viewing of the film is continued with the display generated from the data held on the memory means at the data receiver at the user location so that the end of the film can be watched. However, due to the delay the user's viewing schedule is then out of synchronization with the schedule. The system records overlapping programs and the electronic program guide allows for the overlaps, displaying offset times according to the viewing choices, i.e. the film, according to the electronic program guide, would start at 8:00 and end at 9:00.

However, the electronic program guide of the '477 Hassell et al publication would only display the actual times of the programs and not the localized shifted times in response to the delay in display of the remainder of the broadcast programs, as in Applicant's invention. The '477 Hassell et al publication electronic program guide would indicate that the film would end at 8:30, that is, the actual time, and not at the selected location time shifted time of 9:00, as is indicated in Applicant's invention

Thus, although the electronic program guide of '477 Hassell et al publication is adjusted in response to recording a program, the electronic program guide at the locations selected are not time shifted in response to the delay in display of the remainder of the broadcast program and/or subsequent broadcast programs so as to provide synchronization of the time shifted electronic program guide details with the display of the stored program(s) and/or the display of the remainder of the broadcast program and/or subsequent broadcast programs and thereby prevent overlap, as in Applicant's currently amended application. Therefore, Applicant believes that currently amended claims 1 through .7 are novel over the Hassell et al publication and respectfully requests reconsideration of the rejection.

Claims 2-6 depend from currently amended claim 1 and are believed novel over the cited reference as stated with reference to claim 1.

It is believed that the application is now in condition for allowance and such action is earnestly solicited. If any further issues remain, a telephone conference with the Examiner is respectfully requested. If there are any charges associated with this amendment, the Examiner is hereby authorized to charge such charges to Deposit Account No. 08-1500.

HEAD, JOHNSON & KACHIGIAN

Respectfully submitted,

  
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